



Reprinted
February 25, 2004

ENGROSSED HOUSE BILL No. 1133

DIGEST OF HB 1133 (Updated February 24, 2004 3:54 pm - DI 104)

Citations Affected: IC 20-8.1.

Synopsis: Hepatitis B. Requires every child who enters grade 9 and grade 12 to be immunized against hepatitis B until July 1, 2008. Prohibits the prevention of a child from enrolling in, attending, or graduating high school for the sole reason that the child was not immunized against hepatitis B.

Effective: July 1, 2004.

Budak, Brown C, Becker, Welch

(SENATE SPONSORS — DILLON, BREAUX)

January 13, 2004, read first time and referred to Committee on Public Health.

January 22, 2004, amended, reported — Do Pass.

February 4, 2004, read second time, ordered engrossed. Engrossed.

February 5, 2004, read third time, passed. Yeas 93, nays 1.

SENATE ACTION

February 9, 2004, read first time and referred to Committee on Health and Provider Services.

February 19, 2004, amended, reported favorably — Do Pass.

February 24, 2004, read second time, amended, ordered engrossed.

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EH 1133—LS 6379/DI 77+



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Second Regular Session 113th General Assembly (2004)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2003 Regular Session of the General Assembly.

ENGROSSED HOUSE BILL No. 1133

A BILL FOR AN ACT to amend the Indiana Code concerning health.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 20-8.1-7-9.5, AS AMENDED BY P.L.244-2003,
2 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2004]: Sec. 9.5. (a) Every child residing in Indiana shall be
4 immunized against:
5 (1) diphtheria;
6 (2) pertussis (whooping cough);
7 (3) tetanus;
8 (4) measles;
9 (5) rubella;
10 (6) poliomyelitis; and
11 (7) mumps.
12 (b) Every child residing in Indiana who enters kindergarten or grade
13 1 shall be immunized against hepatitis B and chicken pox.
14 (c) The state department of health may expand or otherwise modify
15 the list of communicable diseases that require documentation of
16 immunity as medical information becomes available that would warrant
17 the expansion or modification in the interest of public health.

EH 1133—LS 6379/DI 77+



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(d) The state department of health shall adopt rules under IC 4-22-2 specifying the:

- (1) required immunizations;
- (2) child's age for administering each vaccine;
- (3) adequately immunizing doses; and
- (4) method of documentation of proof of immunity.

(e) Each school shall notify each parent of a child who enrolls in the school of the requirement that the child must be immunized and that the immunization is required for the child's continued enrollment, attendance, or residence at the school unless:

- (1) the parent or child provides the appropriate documentation of immunity;
- (2) for chicken pox, the parent or child provides a written signed statement that the child has indicated a history of chicken pox; or
- (3) section 2 or 2.5 of this chapter applies.

(f) After June 30, 2005, every child in Indiana who enters grade 9 and grade 12 shall be immunized against hepatitis B. However, a child may not be prevented from enrolling in, attending, or graduating from high school for the sole reason that the child has not been immunized under this subsection. Beginning in the 2007-2008 school year, a high school is not required to notify each parent of a child enrolled to enter grade 9 of the immunization requirement in this subsection. The exceptions in sections 2 and 2.5 of this chapter apply to this subsection. This subsection expires July 1, 2008.

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Health, to which was referred House Bill 1133, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Delete everything after the enacting clause and insert the following:

(SEE TEXT OF BILL)

and when so amended that said bill do pass.

(Reference is to HB 1133 as introduced.)

BROWN C, Chair

Committee Vote: yeas 11, nays 0.

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COMMITTEE REPORT

Madam President: The Senate Committee on Health and Provider Services, to which was referred House Bill No. 1133, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 2, line 16, after "grade" insert **"9 and grade"**.

Page 2, line 17, delete "in addition to" and insert **"a child may not be prevented from graduating from high school for the sole reason that the child has not been immunized under this subsection. The exceptions in sections 2 and 2.5 of this chapter apply to this subsection."**.

Page 2, delete lines 18 through 19.

Page 2, line 20, delete "provides a written objection to the school."

Page 2, run in lines 17 and 20.

and when so amended that said bill do pass.

(Reference is to HB 1133 as printed January 23, 2004.)

MILLER, Chairperson

Committee Vote: Yeas 9, Nays 1.

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SENATE MOTION

Madam President: I move that Engrossed House Bill 1133 be amended to read as follows:

Page 2, line 18, before "graduating" insert "**enrolling in, attending, or**".

Page 2, line 20, after "subsection." insert "**Beginning in the 2007-2008 school year, a high school is not required to notify each parent of a child enrolled to enter grade 9 of the immunization requirement in this subsection.**".

Page 2, line 21, delete "July 1, 2010." and insert "**July 1, 2008.**".

(Reference is to EHB 1133 as printed February 20, 2004.)

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